



MAR 31 2005

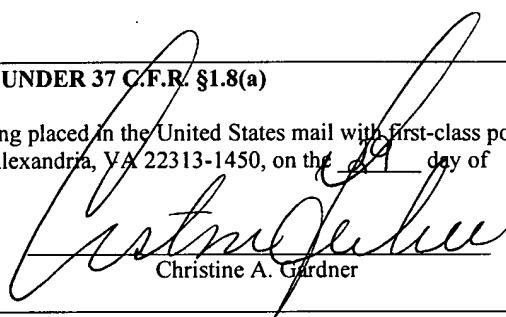
DOCKET NO.: H0498.70168US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Olivier J. A. Schueller et al.  
Serial No.: 10/824,331  
Confirmation No.: 5408  
Filed: April 14, 2004  
For: OPTICAL MODULATOR/DETECTOR BASED ON  
RECONFIGURABLE DIFFRACTION GRATING  
Examiner: Not Yet Available  
Art Unit: 2878

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 19 day of March, 2005.



Christine A. Gardner

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

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An early and favorable action is hereby requested.

Respectfully submitted,

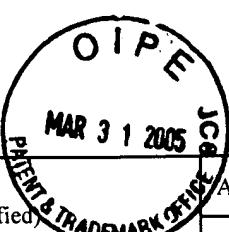
By:



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Docket No.: H0498.70168US01  
Date: 3/29/05, 2005  
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FORM PTO-1449/A and B (Modified) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/824,331	ATTY. DOCKET NO.: H0498.70168US01
				FILING DATE: April 14, 2004	CONFIRMATION NO.: 5408
				APPLICANT: Olivier J. A. Schueller et al.	
				GROUP ART UNIT: 2878	EXAMINER: Not Yet Available
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#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		4,491,730		Pedersen	01/01/1985
*		5,647,939	A1	Gee et al.	07/15/1997
*		5,932,799		Moles	08/03/1999
*		5,942,443	A1	Parce et al.	08/24/1999
		6,719,868		Schueller et al.	04/13/2004
		6,747,285		Schueller et al.	06/08/2004
		6,753,131		Rogers et al.	06/22/2004

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
*		BUYDENS, L., ET AL., "Amplitude modulation and beam-steering properties of active binary phase gratings with reconfigurable absorption areas," July 20, 1994, Applied Optics, Vol. 33, No. 21, pp. 4792-4800	
*		DELAMARCHE, EMMANUEL, ET AL., "Microfluidic Networks for Chemical Patterning of Substrates: Design and Application to Bioassays," J. Am. Chem. Soc., January 9, 1998, Vol. 120, No. 3, pp. 500-508, American Chemical Society	
*		DUFFY, DAVID C., ET AL., "Rapid Prototyping of Microfluidic Systems in Poly(dimethylsiloxane)," Analytical Chemistry, December 1, 1998, Vol. 70, No. 23, pp. 4974-4984, American Chemical Society	
*		FREEMANTLE, MICHAEL, "Chemical analysis and synthesis on microchips promise a variety of potential benefits," Chemical & Engineering News, February 22, 1999, pp. 27-36	
*		HOLTZ, JOHN, ET AL., "Polymerized colloidal crystal hydrogel films as intelligent chemical sensing materials," Nature, October 23, 1997, Vol. 389, pp. 829-832	
*		JAECKLIN, V.P., ET AL., "Line-addressable torsional micromirrors for light modulator arrays," Sensors and Actuators A, 1994, pp. 324-329	
*		MADOU, MARC, Fundamentals of Microfabrication, 1998, pp. 382-295, CRC Press, Boca Raton.	
*		SOLGAARD, O., ET AL., "Deformable grating optical modulator," Optics Letters, May 1, 1992, Vol. 17, No. 9, pp. 688-690, Optical Society of America	
*		SUBACIUS, D., ET AL., "Switchable diffractive cholesteric gratings," Applied Physics Letters, September 8, 1997, Vol. 71, No. 10, pp. 1350-1352, American Institute of Physics	
*		TAKEI, HIROYUKI, ET AL., "Spatial light modulation based on photoinduced change in the complex refractive index of bacteriorhodopsin," Applied Optics, April 10, 1996, Vol. 35, No. 11, pp.	

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				APPLICANT: Olivier J. A. Schueller et al.	
Sheet	2	of	2	GROUP ART UNIT: 2878	EXAMINER: Not Yet Available

		1848-1854, Optical Society of America		
*		WOOLLEY, ADAM T., ET AL., "High-Speed DNA Genotyping Using Microfabricated Capillary Array Electrophoresis Chips," Analytical Chemistry, June 1, 1997, Vol. 69, No. 11, pp. 2181-2186		

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/003,033, filed November 1, 2001, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]